



HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

RCE/2172/1/119  
WM  
10/22/02**REQUEST****FOR****CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/317,746
Filing Date	May 24, 1999
Confirmation Number	9501
First Named Inventor	Robert L. Stewart
Group Art Unit	2172
Examiner Name	Woo, Isaac M.
Attorney Docket Number	2386.1005-000

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [ ].  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [ ].

iii. ☐ Other -- [ ].

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other -- [ ].

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**2. Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [ ] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other -- [ ].

**3. Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ A check is enclosed for the following fees in the total amount of \$[740]

OR

☐ Authorization is granted to charge the following fees in the total amount of \$[ ] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 10/21/2002 NMOHAMH1 00000140 09317746

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 740.00 OP

iii. ☐ Amendment Fee

iv. ☐ Other -- [ ].

b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Caroline M. Fleming	Registration No. (Attorney/Agent)	45,566
Signature		Date	10/16/02

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box RCE, P.O. Box 2327, Arlington, VA 22202, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	PAMELA SARNO	Date	10/16/02
Signature			